

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JASMINE DIAZ, ET AL.,

Plaintiffs,

v.

NEW WORK CITY, INC., ET AL.,

Defendants.

) Case No. 5:16-cv-2319

) JUDGE SARA LIOI

) **EXHIBIT A: DECLARATION OF**
) **JASMINE JONES**

1. I am over 18 years old and competent to make the following representations and give the following consent in this matter.

2. I have personal knowledge of the matters referenced herein.

3. I am a named plaintiff in this case. I consent to bring this action on behalf of myself and all other similarly situated employees, who are also present or former employees of New Work City, Inc., which I understand also does business as American Medical Personnel.

4. I am a current employee of American Medical Personnel. I work and have been paid as an hourly employee of American Medical Personnel from approximately September 2014 to the present.

5. Throughout my employment, I have worked as an hourly State Tested Nursing Assistant at American Medical Personnel's clients' facilities providing medical and assisted living care. I regularly travel to jobsites, American Medical Personnel's client facilities, in Ohio.

6. During my onboarding with AMP I was told that I would not be paid overtime. In order to receive compensation for my hours, I am required to submit a timecard reporting my full name and skill level, the name of the facility at which I worked, the date of my shift, the actual start time and end time of my shift, and the recorded lunch break; I am required to have my supervisor sign the timecard.

7. I have never been instructed to report my hours worked traveling between client facilities of American Medical Personnel during the work day. Attached as Exhibit B is a true and accurate copy of paystubs as maintained by AMP. Though the paystubs include a category labeled as "Mileage", I have never been paid for my travel time between client facilities of American Medical Personnel, including during the instances in which I traveled between client facilities in the same workday.

8. For example, this past weekend during my work shift starting Friday, February 3, 2017 at 11:00 p.m., I worked at the Manor at Hamlet Village, located at or near 150 Cleveland St., Chagrin Falls, OH 44022. At 7:00 a.m. my work at Hamlet Village was completed, and I then drove to Montefiore Nursing Home at 1 David Myers Pkwy, Beachwood, OH 44122, arriving at 7:30 a.m., and worked until my shift ended at 3:00 p.m. Though I reported my hours

worked at the client facilities, I am not permitted, and I am therefore not paid, for the travel time, in this example, between Chagrin Falls and Beachwood.

9. In addition, I frequently work more than forty (40) hours during workweeks for American Medical Personnel. I have not been paid overtime for all my hours over forty (40) hours, and I have not always been paid overtime at the time and one-half rate required.

10. For example, during the workweek beginning 9/15/2014 and ending 9/21/2014, I worked more than forty (40) hours but I was not paid overtime compensation for all my hours over forty (40). (Exhibit B pages 1-4.)

11. During the workweek beginning 12/21/2015 and ending 12/27/2015, I worked more than forty (40) hours but I was not paid overtime compensation for all my hours over forty (40). (Exhibit B pages 5-8.)

12. During the workweek beginning 1/4/2016 and ending 1/10/2016, I worked more than forty (40) hours but I was not paid overtime compensation for all my hours over forty (40). (Exhibit B pages 9-13.)

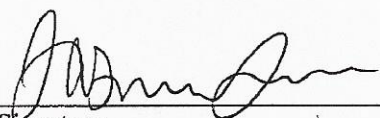
13. During the workweek beginning 3/7/2016 and ending 3/13/2016, I worked more than forty (40) hours but I was not paid overtime compensation for all my hours over forty (40). (Exhibit B pages 14-19.)

14. Based upon my personal knowledge, I am aware that other hourly employees also suffered from the same violations. Defendants similarly failed to pay overtime at the time and one-half rate required to other hourly employees and failed to pay for travel time during the workday to other hourly employees.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

2/13/17
Date


Signature

Jasmine Jones
Printed Name

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